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PTO/SB/05 (4/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. E-1804

First Inventor or Application Identifier Carrender et al.

Title Phase Modulation in RF Tag

Express Mail Label No. EK386615231US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 17]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
4. Oath or Declaration [Total Pages 3]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☒ * Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired
(PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☐ Other: _____

* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: _____

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Stephen R. May (K1-53)				
	Battelle Memorial Institute				
Address	P.O. Box 999				
City	Richland	State	WA	Zip Code	99352
Country	U.S.A.	Telephone	(509) 375-2387	Fax	(509) 375-4487

Name (Print/Type)

Stephen R. May

Registration No. (Attorney/Agent)

29,255

Signature

Stephen R. May

Date

June 6, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



06/06/00

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FEE TRANSMITTAL For FY 2000 Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28. TOTAL AMOUNT OF PAYMENT (\$) 393.00		Complete If Known <table border="1"> <tr> <td>Application Number</td> <td>Not Assigned</td> </tr> <tr> <td>Filing Date</td> <td>Herewith</td> </tr> <tr> <td>First Named Inventor</td> <td>Carrender et al.</td> </tr> <tr> <td>Examiner Name</td> <td>Not Assigned</td> </tr> <tr> <td>Group/Art Unit</td> <td>Not Assigned</td> </tr> <tr> <td>Attorney Docket No.</td> <td>E-1804</td> </tr> </table>		Application Number	Not Assigned	Filing Date	Herewith	First Named Inventor	Carrender et al.	Examiner Name	Not Assigned	Group/Art Unit	Not Assigned	Attorney Docket No.	E-1804
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METHOD OF PAYMENT (check one) 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 02-1275 Deposit Account Name: Battelle Memorial Institute - PND <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 2. Payment Enclosed: <input type="checkbox"/> check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105 130</td> <td>205 65</td> <td>Surcharge- late filing fee or oath</td> <td></td> </tr> <tr> <td>127 50</td> <td>227 25</td> <td>Surcharge- late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139 130</td> <td>139 130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147 2,520</td> <td>147 2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112 920*</td> <td>112 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113 1,840*</td> <td>113 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115 110</td> <td>215 55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116 380</td> <td>216 190</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117 870</td> <td>217 435</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118 1,360</td> <td>218 680</td> <td>Extension for reply within forth month</td> <td></td> </tr> <tr> <td>128 1,850</td> <td>228 925</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119 300</td> <td>219 150</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120 300</td> <td>220 150</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121 260</td> <td>221 130</td> <td>Requesting for oral hearing</td> <td></td> </tr> <tr> <td>138 1,510</td> <td>138 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140 110</td> <td>240 55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141 1,210</td> <td>241 605</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142 1,210</td> <td>242 605</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143 430</td> <td>243 215</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144 580</td> <td>224 290</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122 130</td> <td>122 130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123 50</td> <td>123 50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126 240</td> <td>126 240</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581 40</td> <td>581 40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146 690</td> <td>246 345</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149 690</td> <td>249 345</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="2">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$) -0-</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 65	Surcharge- late filing fee or oath		127 50	227 25	Surcharge- late provisional filing fee or cover sheet		139 130	139 130	Non-English specification		147 2,520	147 2,520	For filing a request for reexamination		112 920*	112 920*	Requesting publication of SIR prior to Examiner action		113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		115 110	215 55	Extension for reply within first month		116 380	216 190	Extension for reply within second month		117 870	217 435	Extension for reply within third month		118 1,360	218 680	Extension for reply within forth month		128 1,850	228 925	Extension for reply within fifth month		119 300	219 150	Notice of Appeal		120 300	220 150	Filing a brief in support of an appeal		121 260	221 130	Requesting for oral hearing		138 1,510	138 1,510	Petition to institute a public use proceeding		140 110	240 55	Petition to revive - unavoidable		141 1,210	241 605	Petition to revive - unintentional		142 1,210	242 605	Utility issue fee (or reissue)		143 430	243 215	Design issue fee		144 580	224 290	Plant issue fee		122 130	122 130	Petitions to the Commissioner		123 50	123 50	Petitions related to provisional applications		126 240	126 240	Submission of Information Disclosure Stmt		581 40	581 40	Recording each patent assignment per property (times number of properties)		146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))		149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))		Other fee (specify)				Other fee (specify)				*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$) -0-	
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SUBMITTED BY Name (Print/Type) Stephen R. May Signature <i>Stephen R. May</i>		Registration No. (Attorney/Agent) 29,255 Telephone (509) 375-2387	
		Date June 6, 2000	

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

EXPRESS MAIL MAILING LABEL #EK386615231US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CL Carrender, RW Gilbert

For: PHASE MODULATION IN
RF TAG

Our Ref. No: E-1804

Date: June 5, 2000

CERTIFICATE OF MAILING

Box PATENT APPLICATION

Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

The undersigned hereby certifies that the attached:

- ☒ [X] Patent Application of 17 pages, and
- ☒ [X] Drawings of 2 Sheets
- ☒ [X] Fee Transmittal (2 ea.)
- ☒ [X] Assignment / Cvr. Sheet
- ☒ [X] Combined Declaration and Power of Attorney
- ☒ [X] Small Entity
- ☐ [] Information Disclosure
- ☐ [] with attachments

are being deposited with the United States Postal Service as:

- ☐ [] First Class Mail
- ☒ [X] Express Mail - Label #EK386615231US in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date set forth below.

Janice K. Laybourn
Signature

6/6/00
Date Deposited

Janice K. Laybourn K1-53
Intellectual Property Services
Battelle Memorial Institute
Pacific Northwest Laboratories
P.O. Box 999
Richland, WA 99352
(509) 375-2655

00588997.060600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Curtis Lee Carrender and Ronald W. Gilbert

Serial or Patent No.: _____

Filed or Issued: _____

For: PHASE MODULATION IN RF TAG
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) -

I hereby declare that I am an official empowered to act on behalf of the
 entity identified below:

NAME OF ORGANIZATION Battelle Memorial Institute
Pacific Northwest Division
 ADDRESS OF ORGANIZATION Post Office Box 999, Richland, WA 99352

TYPE OF ENTITY:

- ☒ Nonprofit Organization (37 CFR 1.9(e))
 Nonprofit Scientific or Educational Under Statute of State of the
 United States of America
 (Name of State Ohio)
 (Citation of Statute Sections 1719.01 and 1719.05, Rev. Code
of Ohio)
☐ Small Business (37 CFR 1.9(d))
☐ Independent Inventor (37 CFR 1.9(c))

I hereby declare that the entity identified above qualifies as such as defined
 in ☐ 37 CFR 1.9(c) ☐ 37 CFR 1.9(d) ☒ 37 CFR 1.9(e) for purposes of paying
 reduced fees under section 41(a) and (b) of Title 35, United States Code with
 regard to the invention entitled PHASE MODULATION IN RF TAG by inventor(s)
Curtis Lee Carrender and Ronald W. Gilbert described in

- ☐ application executed _____
☒ specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____.

0090907.060600

I hereby state that rights under contract or law have been conveyed to and remain with entity with regard to the above identified invention.

If the rights held by such entity are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities (37 CFR 1.27) and that no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

NAME _____
ADDRESS _____
[] INDEPENDENT INVENTOR [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
[] INDEPENDENT INVENTOR [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Stephen R. May
TITLE OF ORGANIZATION Contracting Officer, Pacific Northwest Division,
Battelle Memorial Institute
ADDRESS OF PERSON SIGNING Post Office Box 999, Richland, WA 99352

SIGNATURE Stephen R. May DATE June 6, 2000

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